



Steven L. Beshear
Governor

Leonard K. Peters
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

David L. Armstrong
Chairman

James W. Gardner
Vice Chairman

Linda Breathitt
Commissioner

April 11, 2014

PARTIES OF RECORD

Re: Case No. 2013-00237
Application of Water Service Corporation of Kentucky for an Adjustment of Rates

Attached is a copy of correspondence that has been filed in the record of the above-referenced case. Any comments regarding this memorandum's contents should be submitted to the Commission within five days of receipt of this letter. Any questions regarding this memorandum should be directed to Ann Ramser, Commission Staff Attorney, at (502) 782-2585.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Derouen".

Jeff Derouen
Executive Director

AR
Attachment

cc: Parties of Record

Ramser, Ann (PSC)

From: Mary Myers <MMyers@sturgillturner.com>
Sent: Thursday, April 10, 2014 5:44 PM
To: Ramser, Ann (PSC); s_ellen@bellsouth.net; Dutton, Gregory (KYOAG); 'leannawilkerson12@gmail.com'
Cc: Todd Osterloh
Subject: Please see attached correspondence & enclosures sent on behalf of Atty Todd Osterloh
Attachments: LT Ramser 4-10-14 (00375208).PDF

Mary Myers

Legal Assistant

mmyers@sturgillturner.com



333 West Vine Street, Suite 1400, Lexington, KY 40507

p 859.255.8581 f 859.231.0851 www.sturgillturner.com

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Ernest H. Jones, II
E. Douglas Stephan
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Sarah Charles Wright
Bryan H. Beauman

R. Douglas Martin
Andrew D. DeSimone
Joshua M. Salsburey
Patsey Ely Jacobs
M. Todd Osterloh
Derrick T. Wright
Jamie White Dittert
Martha L. Alexander
Stephanie M. Wurdock
Jason P. Woodall

General Counsel
Gardner L. Turner

Of Counsel
Katherine M. Coleman

Don S. Sturgill
1928-2002

Email address:
tosterloh@sturgillturner.com

April 10, 2014

Ann Ramser
Staff Attorney
Public Service Commission
P.O. Box 615
Frankfort, KY 40602

VIA EMAIL ONLY

RE: Hearing Request of the Commissioners

Dear Ms. Ramser:

At the request of the Commissioners at yesterday's hearing, I am transmitting written correspondence between Commission Staff and me or my staff regarding the ordering requirements set forth in Case No. 2012-00133. In the attachment, you will find the following documents:

Letter from Todd Osterloh to Jeff DeRouen (Dec. 3, 2013)

Email from Todd Osterloh to James R. Wood (Dec. 2, 2013 2:30 PM)(with Meeting Request Form attachment)

Email from James R. Wood to Todd Osterloh (Dec. 3, 2013 11:24 AM)

Email from Todd Osterloh to James R. Wood (Dec. 3, 2013 11:28 AM)

Email from Todd Osterloh to James R. Wood (Dec. 3, 2013 11:42 PM)(with aforementioned letter attached)

Email from Todd Osterloh to James R. Wood (Dec. 3, 2013 12:34 PM)(with aforementioned letter attached)

Email from Todd Osterloh to James R. Wood (Dec. 3, 2013 12:39 PM)(with email string below)

Email from Todd Osterloh to James R. Wood (Dec. 3, 2013 2:53 PM)(with email from James R. Wood below)



April 10, 2014
Page 2

Please provide these documents to the Commissioners for their review to determine whether they should be filed in the record of Water Service Corporation of Kentucky's rate case. As was discussed at yesterday's hearing, it is the utility's position that the requirements contained in Case No. 2012-00133 have no relevance to the merits of the pending rate case and there would be no need to clutter the record with these extraneous documents.

Sincerely,
STURGILL, TURNER, BARKER & MOLONEY, PLLC

M. Todd Osterloh

MTO/mlm

Enclosures

Cc: Greg Dutton (via email)
Sue Ellen Morris (via email)
Leanna Wilkerson (via email)

x:\wdox\clients\64592\0004\corr\00375108.docx



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General Counsel
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Of Counsel
Katherine M. Coleman

Don S. Sturgill
1928-2002

Email address:
tosterloh@sturgillturner.com

December 3, 2013

VIA MAIL & EMAIL

Jeff DeRouen, Executive Director
Public Service Commission
P.O. Box 615
Frankfort, KY 40602-0615

RE: Utility Hosted Public Meeting in Middlesboro and Clinton

Dear Mr. DeRouen:

As you will remember, the Commission approved the indirect transfer of control of Water Service Corporation of Kentucky ("WSCK"), in Case No. 2012-00133. As a condition of the transfer, WSCK and its corporate affiliates, Corix Utilities (Illinois) LLC and Utilities, Inc., agreed to host annual public meetings in the cities of Middlesboro and Clinton, Kentucky to provide a forum for customers to communicate with utility management.

WSCK has a rate case pending before the Commission (Case No. 2013-00237). Based on the current procedural schedule, an evidentiary hearing has been set for March 18, 2014, and it may be moved to April. Although there has been no indication whether the Commission will hold local public meetings related to the rate case, the Commission has held public meetings in Middlesboro and Clinton in WSCK's last two rate cases. If public meetings were to be held, we would anticipate that they would be held in March or early-April before the evidentiary hearing.

In contemplating the scheduling of a public forum as envisioned by the agreement in the transfer case, it occurred to WSCK that the dominant focus of any meeting held by WSCK in Middlesboro and Clinton December 2013 would be the current rate case. In order to avoid the economic inefficiency of holding two sets of meetings less than three months apart in which the focus of the meetings is the same, WSCK proposes to consolidate the meetings and hold one set of meetings. This would also allow other interested individuals, such as Commission Staff and representatives of the Attorney General's office, to hear the input from the customers without having to make a second trip from Frankfort.



December 3, 2013
Page 2

Please advise as to whether this proposal is acceptable to the Commission and Commission Staff. As always, if you have any questions, do not hesitate to contact me.

Sincerely,
STURGILL, TURNER, BARKER & MOLONEY, PLLC

M. Todd Osterloh

MTO/mlm

x:\wdox\clients\64592\0001\corr\00353657.docx

Todd Osterloh

From: Todd Osterloh
Sent: Monday, December 02, 2013 2:30 PM
To: 'JamesR.Wood@ky.gov'
Subject: Form Returned: 1 MEETING REQUEST FORM (NEW) (2).pdf
Attachments: 1 MEETING REQUEST FORM (NEW) (2).pdf

Form Returned: 1 MEETING REQUEST FORM (NEW) (2).pdf

The attached file is the filled-out form. Please open it to review the data.

Jim,
I hope all is well with you and your family.

I am attaching a meeting request form. There are a few things that I should explain that were difficult to describe on the form.

1. We do not have a preference as to whether the Commissioners participate in the meeting or not. We are leaving that to the discretion of the Commissioners. We welcome their participation, and also understand if it will be Staff only.
2. We are hoping that the Commission will allow us to have our primary two representatives, Steve Lubertozi and Hamish Cumming, appear telephonically. Steve is out of UI's Northbrook, Illinois, office, and Hamish is out of Corix's Vancouver headquarters. We think that we can accomplish the goals of the meeting without spending significant resources (time and money) on travel. If the Commission disagrees, please let me know as soon as you can.
3. We are fairly flexible on dates if we can hold the meeting telephonically. If you want us to propose some possible dates, December 11 (pm), December 12, December 16, and December 19 are all possibilities. Because Hamish is 3 hours behind us, we will not want to schedule the meeting too early in the morning.

Todd

M. Todd Osterloh
Attorney
tosterloh@sturgillturner.com

333 West Vine Street, Suite 1400, Lexington, KY 40507 p 859.255.8581 f 859.231.0851 c
859.433.0027 www.sturgillturner.com

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KENTUCKY
PUBLIC SERVICE
COMMISSION

211 Sower Blvd
Post Office Box 615
Frankfort, KY 40602
<http://psc.ky.gov>

Telephone: 502-564-3940

Telefax: 502-564-3460

Date: Dec. 2, 2013

MEETING REQUEST INFORMATION

Thank you for your request for a meeting with our Commissioners or staff. To assist us in scheduling this meeting, please provide the following information as soon as possible.

Meeting with Commissioners Meeting with Staff Meeting with Commissioners & Staff

Utility requesting meeting: Water Service Corporation of Kentucky

Contact person: Todd Osterloh, (859) 255-8581, tosterloh@sturgillturner.com
(Name, telephone #, email address)

Requested date & time: Flexible, December 2013 Requested length of meeting: 1 hour

Alternative dates & times: Please contact Todd Osterloh to arrange a date and time.

Purpose of meeting: The PSC approved the indirect transfer of control of WSCK in 12-133 with a condition that Corix and Utilities, Inc., management meet with the Commission and/or Commission Staff to ensure an ongoing relationship between the utility and the Commission. WSCK proposes to hold this meeting telephonically to reduce unnecessary travel expenses.

Topics requested for discussion: 1. General utility operations
2. WSCK's corporate parents
3. Any other topics at the request of Commission or Staff
4. WSCK's pending rate case should not be discussed.

Names of attendees and their titles: 1. Steve Lubertozi, UI Director of Regulatory Affairs
2. Hamish Cumming, Corix Vice President
3. Todd Osterloh, Local Attorney
4. Others at the request of Commission or Staff

PSC personnel requested/planning to attend: At the discretion of Commission or Staff

E-MAIL FORM

PRINT FORM



Todd Osterloh

From: Wood, James R (PSC) <JamesR.Wood@ky.gov>
Sent: Tuesday, December 03, 2013 11:24 AM
To: Todd Osterloh
Subject: RE: Form Returned: 1 MEETING REQUEST FORM (NEW) (2).pdf

Todd:

This may take a while. It looks like the Commissioners want to be present, and probably want to have your corporate officers present. That will delay the timing as the Commissioners are really booked up. Plus, we have the rate case pending. If it takes a while to get this scheduled, we will probably excuse the delay in having the "annual" meeting (paragraph 19 of the Order of August 13, 2012, 2012-00133). I will get back with you as soon as I have some information from Jeff and the Commissioners. Also, I will probably turn this over to Kathy Gillum once we get the particulars settled; she is now doing some of the scheduling so I can spend more time on cases. But until we get the details worked out, I will still handle this one.

Lisa, Elizabeth and I are all doing fine. How about you and yours? Hope all is well.

Jim

-----Original Message-----

From: Todd Osterloh [mailto:tosterloh@sturgillturner.com]
Sent: Monday, December 02, 2013 2:30 PM
To: Wood, James R (PSC)
Subject: Form Returned: 1 MEETING REQUEST FORM (NEW) (2).pdf

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Todd

M. Todd Osterloh
Attorney
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Todd Osterloh

From: Todd Osterloh
Sent: Tuesday, December 03, 2013 11:28 AM
To: 'Wood, James R (PSC)'
Subject: RE: Form Returned: 1 MEETING REQUEST FORM (NEW) (2).pdf

Ok, thanks for the heads-up, Jim. I will wait for further instruction from you or Kathy.

Kate, Alex, and I are doing well. And I cannot remember if I told you when I saw you last, but we are expecting another boy around the end of February. So needless to say, things are hectic with the holidays approaching and preparations for another nursery getting started.

Todd

-----Original Message-----

From: Wood, James R (PSC) [mailto:JamesR.Wood@ky.gov]
Sent: Tuesday, December 03, 2013 11:24 AM
To: Todd Osterloh
Subject: RE: Form Returned: 1 MEETING REQUEST FORM (NEW) (2).pdf

Todd:

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Lisa, Elizabeth and I are all doing fine. How about you and yours? Hope all is well.

Jim

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Sent: Monday, December 02, 2013 2:30 PM
To: Wood, James R (PSC)
Subject: Form Returned: 1 MEETING REQUEST FORM (NEW) (2).pdf

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M. Todd Osterloh
Attorney
tosterloh@sturgillturner.com

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Todd Osterloh

From: Mary Myers
Sent: Tuesday, December 03, 2013 11:42 AM
To: 'Jeff.DeRouen@ky.gov'
Cc: Todd Osterloh
Subject: Utility Hosted Public Meeting in Middlesboro and Clinton; please see attached correspondence sent on behalf of Atty Todd Osterloh



LTR Derouen
Public Meeting i...

Mary Myers
Legal Assistant
mmyers@sturgillturner.com



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Katherine M. Coleman

Don S. Sturgill
1928-2002

Email address:
tosterloh@sturgillturner.com

December 3, 2013

VIA MAIL & EMAIL

Jeff DeRouen, Executive Director
Public Service Commission
P.O. Box 615
Frankfort, KY 40602-0615

RE: Utility Hosted Public Meeting in Middlesboro and Clinton

Dear Mr. DeRouen:

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STURGILL, TURNER, BARKER & MOLONEY, PLLC
333 WEST VINE STREET ♦ SUITE 1400 ♦ LEXINGTON, KENTUCKY 40507
PHONE: 859.255.8581 ♦ FAX: 859.231.0851 ♦ WWW.STURGILLTURNER.COM



December 3, 2013
Page 2

Please advise as to whether this proposal is acceptable to the Commission and Commission Staff. As always, if you have any questions, do not hesitate to contact me.

Sincerely,
STURGILL, TURNER, BARKER & MOLONEY, PLLC

M. Todd Osterloh

MTO/mlm

x:\wdox\clients\64592\0001\corr\00353657.docx

Todd Osterloh

From: Todd Osterloh
Sent: Tuesday, December 03, 2013 12:34 PM
To: JamesR.Wood@ky.gov
Subject: FW: Utility Hosted Public Meeting in Middlesboro and Clinton: please see attached correspondence sent on behalf of Atty Todd Osterloh

FYI – This may also come up in your discussions

From: Mary Myers
Sent: Tuesday, December 03, 2013 11:42 AM
To: 'Jeff.DeRouen@ky.gov'
Cc: Todd Osterloh
Subject: Utility Hosted Public Meeting in Middlesboro and Clinton: please see attached correspondence sent on behalf of Atty Todd Osterloh



LTR Derouen
Public Meeting i...



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December 3, 2013

VIA MAIL & EMAIL

Jeff DeRouen, Executive Director
Public Service Commission
P.O. Box 615
Frankfort, KY 40602-0615

RE: Utility Hosted Public Meeting in Middlesboro and Clinton

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December 3, 2013
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Sincerely,
STURGILL, TURNER, BARKER & MOLONEY, PLLC

M. Todd Osterloh

MTO/mlm

x:\wdox\clients\64592\0001\corr\00353657.docx

Todd Osterloh

From: Todd Osterloh
Sent: Tuesday, December 03, 2013 12:39 PM
To: 'Wood, James R (PSC)'
Subject: RE: Form Returned: 1 MEETING REQUEST FORM (NEW) (2).pdf

We are very early in the rate case process. We filed the rate case at the end of September, so we are just about two months in. The ten-month period would end on July 26, 2014. Obviously, we are hoping that we can demonstrate that our rates are reasonable before that date (or possibly provide a settlement for the Commission to consider at a much earlier date.)

Todd

-----Original Message-----

From: Wood, James R (PSC) [mailto:JamesR.Wood@ky.gov]
Sent: Tuesday, December 03, 2013 11:39 AM
To: Todd Osterloh
Subject: FW: Form Returned: 1 MEETING REQUEST FORM (NEW) (2).pdf

Todd:

Looks like it will be a while. Do you have any idea when the rate case will be completed?

Jim

-----Original Message-----

From: DeRouen, Jeff (PSC)
Sent: Tuesday, December 03, 2013 11:40 AM
To: Wood, James R (PSC); Armstrong, David (PSC); Breathitt, Linda (PSC); Gardner, Jim (PSC); Stith, Brenda H (PSC); Gillig, Gretchen (PSC); Lyons, Debbie K (PSC)
Cc: Wuetcher, Jerry (PSC); Raff, Richard (PSC); Greenwell, Aaron D (PSC)
Subject: RE: Form Returned: 1 MEETING REQUEST FORM (NEW) (2).pdf

We have to. WE can't meet until after the rate case.

Jeff Derouen
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40601
(502) 564-3940

-----Original Message-----

From: Wood, James R (PSC)
Sent: Tuesday, December 03, 2013 11:34 AM
To: DeRouen, Jeff (PSC); Armstrong, David (PSC); Breathitt, Linda (PSC); Gardner, Jim (PSC); Stith, Brenda H (PSC); Gillig, Gretchen (PSC); Lyons, Debbie K (PSC)
Cc: Wuetcher, Jerry (PSC); Raff, Richard (PSC); Greenwell, Aaron D (PSC)

Subject: RE: Form Returned: 1 MEETING REQUEST FORM (NEW) (2).pdf

Jeff:

I assume we give them a pass on the "annual" meeting requirement of paragraph 19 of the August 13, 2012 Order.
Jim

-----Original Message-----

From: DeRouen, Jeff (PSC)

Sent: Tuesday, December 03, 2013 11:28 AM

To: Armstrong, David (PSC); Breathitt, Linda (PSC); Gardner, Jim (PSC); Stith, Brenda H (PSC); Gillig, Gretchen (PSC); Lyons, Debbie K (PSC)

Cc: Wuetcher, Jerry (PSC); Wood, James R (PSC); Raff, Richard (PSC); Greenwell, Aaron D (PSC)

Subject: RE: Form Returned: 1 MEETING REQUEST FORM (NEW) (2).pdf

Jim: let's put off until rate case is over then schedule with the Commissioners. Unless someone has some reason to do otherwise, I think it should be several months after the rate case.

Jeff Derouen

Executive Director

Kentucky Public Service Commission

211 Sower Boulevard

Frankfort, Kentucky 40601

(502) 564-3940

-----Original Message-----

From: Armstrong, David (PSC)

Sent: Tuesday, December 03, 2013 11:05 AM

To: Breathitt, Linda (PSC); DeRouen, Jeff (PSC); Gardner, Jim (PSC); Stith, Brenda H (PSC); Gillig, Gretchen (PSC); Lyons, Debbie K (PSC)

Cc: Wuetcher, Jerry (PSC); Wood, James R (PSC); Raff, Richard (PSC); Greenwell, Aaron D (PSC)

Subject: RE: Form Returned: 1 MEETING REQUEST FORM (NEW) (2).pdf

Chairman Armstrong:

Yes. I would like to participate.

-----Original Message-----

From: Breathitt, Linda (PSC)

Sent: Tuesday, December 03, 2013 10:30 AM

To: DeRouen, Jeff (PSC); Armstrong, David (PSC); Gardner, Jim (PSC); Stith, Brenda H (PSC); Gillig, Gretchen (PSC); Lyons, Debbie K (PSC)

Cc: Wuetcher, Jerry (PSC); Wood, James R (PSC); Raff, Richard (PSC); Greenwell, Aaron D (PSC)

Subject: RE: Form Returned: 1 MEETING REQUEST FORM (NEW) (2).pdf

I know this isn't very helpful but I will defer to my colleagues. I do think the meeting should happen in any event.

Linda

-----Original Message-----

From: DeRouen, Jeff (PSC)

Sent: Tuesday, December 03, 2013 9:28 AM

To: Armstrong, David (PSC); Gardner, Jim (PSC); Breathitt, Linda (PSC); Stith, Brenda H (PSC); Gillig, Gretchen (PSC); Lyons, Debbie K (PSC)

Cc: Wuetcher, Jerry (PSC); Wood, James R (PSC); Raff, Richard (PSC); Greenwell, Aaron D (PSC)
Subject: FW: Form Returned: 1 MEETING REQUEST FORM (NEW) (2).pdf

Please see attached and below. This request is in response to case mentioned in #1 below. The order does not specifically mention meeting with the Commissioners but you all participate on meetings with DUKE, PPL, and AEP. They are requesting to do the meeting over the phone. If any of you want to be at the meeting it will need to be next calendar year. SO the question is, do each of you wish to participate? Please let us know by the end of the week if possible.

Thanks.

Jeff Derouen
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40601
(502) 564-3940

-----Original Message-----

From: Wood, James R (PSC)
Sent: Monday, December 02, 2013 5:28 PM
To: DeRouen, Jeff (PSC); Wuetcher, Jerry (PSC)
Subject: FW: Form Returned: 1 MEETING REQUEST FORM (NEW) (2).pdf

1. The Order in 2012-00133 was entered August 13, 2012. Paragraph 19, required:

Representatives of Corix Utilities, Utilities, Inc., and Water Service Corporation shall meet at least once annually with the Commission's representatives at The Commission's offices in Frankfort, Kentucky.

This is their first request for a meeting.

2. Water Services Corp. has a rate case pending [2013-00237] and the AG, Hickman County Fiscal Court and City of Clinton have intervened. They should be notified of any meeting, if such is held prior to the conclusion of that case, or if that case is appealed.

3. If we want the Commissioners involved in the meeting, and want to hold the corporate officials to the language of the Order, we could advise them that we will relax the interpretation of the language in paragraph 19 and allow their "annual" meeting to be after the first of the year, at a time convenient to the Commissioners and possibly after the conclusion of the rate case.

It really depends upon what the Commissioners want to do, which you may want to discuss this with them as soon as is practicable.

Jim

-----Original Message-----

From: Todd Osterloh [mailto:tosterloh@sturgillturner.com]
Sent: Monday, December 02, 2013 2:30 PM
To: Wood, James R (PSC)
Subject: Form Returned: 1 MEETING REQUEST FORM (NEW) (2).pdf

Form Returned: 1 MEETING REQUEST FORM (NEW) (2).pdf

The attached file is the filled-out form. Please open it to review the data.

Jim,
I hope all is well with you and your family.

I am attaching a meeting request form. There are a few things that I should explain that were difficult to describe on the form.

1. We do not have a preference as to whether the Commissioners participate in the meeting or not. We are leaving that to the discretion of the Commissioners. We welcome their participation, and also understand if it will be Staff only.
2. We are hoping that the Commission will allow us to have our primary two representatives, Steve Lubertozi and Hamish Cumming, appear telephonically. Steve is out of UI's Northbrook, Illinois, office, and Hamish is out of Corix's Vancouver headquarters. We think that we can accomplish the goals of the meeting without spending significant resources (time and money) on travel. If the Commission disagrees, please let me know as soon as you can.
3. We are fairly flexible on dates if we can hold the meeting telephonically. If you want us to propose some possible dates, December 11 (pm), December 12, December 16, and December 19 are all possibilities. Because Hamish is 3 hours behind us, we will not want to schedule the meeting too early in the morning.

Todd

M. Todd Osterloh
Attorney
tosterloh@sturgillturner.com

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Todd Osterloh

From: Todd Osterloh
Sent: Tuesday, December 03, 2013 3:02 PM
To: 'Wood, James R (PSC)'
Cc: DeRouen, Jeff (PSC) (Jeff.DeRouen@ky.gov)
Subject: RE: Date for meeting

Thanks, Jim.
Todd

M. Todd Osterloh

Attorney

tosterloh@sturgillturner.com



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From: Wood, James R (PSC) [<mailto:JamesR.Wood@ky.gov>]
Sent: Tuesday, December 03, 2013 2:53 PM
To: Todd Osterloh
Cc: DeRouen, Jeff (PSC)
Subject: Date for meeting

Todd:

Looks like we will set a date for the meeting after the rate case has concluded. It will probably be a month or two after the conclusion of the rate case. Your other question about public meetings is being discussed. I will get back with you later on that issue.

Jim

James R. Wood

Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, KY 40602